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FACT SHEET

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House Democrats Have So Far Passed 10 Bills Lowering Rx Drug Prices, Reversing GOP Sabotage, and Protecting Coverage of Pre-Existing Conditions

Over the last few weeks, House Democrats have passed a total of 10 bills lowering Rx drug prices, reversing GOP sabotage, and protecting coverage of pre-existing conditions.

Specifically, the House has passed:

- Five bills to lower Rx drug prices by helping lower-cost generic drugs get to market faster; and
- Five bills to strengthen health care, reverse GOP sabotage, and protect coverage of pre-existing conditions. (The bills protect coverage of pre-existing conditions by revoking the Trump Administration's rule to promote the sale of junk insurance plans that discriminate against people with pre-existing conditions and do not cover essential benefits and revoking the Administration's guidance allowing states to use federal taxpayer dollars to subsidize Americans enrolling in these junk plans.)

Following is an overview of these 10 key bills:

Lowering Prescription Drug Prices By Promoting Generic Competition

The House has passed the following five bills to lower prescription drug prices by promoting generic competition:

- **H.R. 965, The CREATES Act (Rep. David Cicilline, D-RI):** Currently, certain brand-name manufacturers use tactics to withhold or delay generic manufacturers getting from them the brand drug samples they need to develop their generic products. This bill establishes a process by which generic manufacturers are able to obtain sufficient quantities of the brand drug samples, thereby blocking these delaying tactics. *(Passed as part of H.R. 987, 5/16/19, 2019 House Vote #214)*
- **H.R. 1499, The Protecting Consumer Access to Generic Drugs Act (Rep. Bobby Rush, D-IL):** Currently, brand-name drug manufacturers can enter into a "pay-for-delay" agreement in which the brand-name manufacturer pays the generic manufacturer to delay bringing a generic equivalent to market, significantly hurting consumers. This bill makes these "pay-for-delay" agreements illegal. *(Passed as part of H.R. 987, 5/16/19, 2019 House Vote #214)*
- **H.R. 938, The BLOCKING Act (Rep. Kurt Schrader (D-OR):** Currently, the first generic applicant to FDA is granted 180 days of market exclusivity, but some generics then fail to move the product to market, called "parking" – thereby blocking other generics from applying to FDA. This bill allows generics to get to market earlier by changing the rules on "parking." *(Passed as part of H.R. 987, 5/16/19, 2019 House Vote #214)*
- **H.R. 1503, Orange Book Transparency Act (Rep. Robin Kelly, D-IL):** The "Orange Book" is a list on the FDA website of all approved Rx drugs, including when the patent associated with the drug expires. Generic drug manufacturers rely on this information to make development decisions and complain the information is often out-of-date or inaccurate. The bill requires brand-name drug manufacturers to share timely and complete patent information with the FDA. *(Passed, 5/8/19, by voice)*
- **H.R. 1520, Purple Book Continuity Act (Rep. Anna Eshoo, D-CA):** The "Purple Book" is a list on the FDA website of all approved biologic medicines, including when the patent associated with the biologic

expires. This bill requires brand-name manufacturers of biologics to share timely and complete patent information with the FDA, and also requires other improvements in the list, in order to make it more functional for the manufacturers of biosimilars, who rely on the information. *(Passed, 5/8/19, by voice)*

Strengthening Health Care, Reversing GOP Sabotage, and Preserving Protections for People with Pre-Existing Conditions

The House has also passed the following five bills to strengthen GOP sabotage, reverse GOP sabotage, and preserve protections for people with pre-existing conditions.

- **H.R. 1385, The SAVE Act (Reps. Andy Kim, D-NJ and Rep. Brian Fitzpatrick (R-PA)):** This bipartisan bill appropriates \$200 million to assist interested states in creating their own state-based marketplaces. State-based marketplaces are outperforming the Federal marketplace, achieving lower premiums and higher enrollment. This bill empowers states to implement new approaches that lower costs and expand coverage for American families, thereby improving our health care system. *(Passed as part of H.R. 987, 5/16/19, 2019 House Vote #214)*
- **H.R. 987, The MORE Health Education Act (Rep. Lisa Blunt Rochester, D-DE):** This bill, containing provisions similar to provisions in the bipartisan Alexander-Murray proposal in the Senate in the last Congress, restores funding for consumer outreach and enrollment educational activities, which has been slashed by the Trump Administration. The bill appropriates \$100 million a year over 10 years. CBO estimates that the bill would increase enrollment in nongroup coverage and Medicaid by about 500,000 each year over the 2020-2029 period. *(Passed as part of H.R. 987, 5/16/19, 2019 House Vote #214)*
- **H.R. 1386, The ENROLL Act (Rep. Kathy Castor, D-FL):** This bill restores funding for the Navigator program, which has been slashed by the Trump Administration. The bill requires CMS to annually obligate to the Navigator Program \$100 million of the user fees collected from insurers participating in the Federal marketplace. The Navigator program provides grants to independent outside groups to help Americans enroll in marketplace plans. *(Passed as part of H.R. 987, 5/16/19, 2019 House Vote #214)*
- **H.R. 1010, Rescinding Trump Administration's Final Rule Promoting Junk Insurance Plans (Rep. Kathy Castor, D-FL):** This bill reinforces the protections for people with pre-existing conditions by revoking the Trump Administration's rule that promotes the sale of junk plans, which discriminate against people with pre-existing conditions and do not cover essential benefits. Also, the promotion of junk plans will cause the premiums of those with pre-existing conditions to increase. [A recent KFF poll](#) found that two-thirds of Americans overall oppose junk plans. The poll also found that, by 53% to 37%, Republicans oppose junk plans. *(Passed as part of H.R. 987, 5/16/19, 2019 House Vote #214)*
- **H.R. 986, Protecting Americans with Pre-Existing Conditions Act (Rep. Ann Kuster, D-NH):** This bill also reinforces the protections for people with pre-existing conditions by revoking the Trump Administration's guidance issued in October 2018 that builds on its Junk Plan rule by encouraging states to also promote the sale of junk plans and even allows for states to use federal taxpayer dollars to subsidize the purchase of junk plans, which would significantly increase the enrollment in these plans, increasing the premiums paid by people with pre-existing conditions. *(Passed, 5/9/19, 2019 House Vote #196)*